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100TH CONGRESS
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SENATE

REPORT
100-575

# WARM SPRINGS STUDY ACT OF 1988

SEPTEMBER 30 (legislative day, SEPTEMBER 26), 1988.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

## REPORT

[To accompany S. 2767]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2767) to authorize a study of the history and culture of Warm Springs, New Mexico, in order to preserve its historic and cultural legacy for future generations, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE MEASURE

The purpose of S. 2767 is to authorize a study of the history and culture of the Warm Springs area of New Mexico.

### BACKGROUND AND NEED

Ojo Caliente (Spanish for "warm spring"), is a large, but little known warm spring located in the foothills of the San Mateo Mountains in extreme southern Socorro County, New Mexico. It is also the source of a 20 mile stretch of perennial stream named Canada de Alamosa.

This area has been the home of a variety of cultures throughout history. The ruins of numerous pueblo sites can be found, evidence of past use of the area by the Mimbres Indian culture. Ojo Caliente and Canada Alamosa were also occupied by the Warm Springs Apaches who considered this area their traditional homeland until they were removed during the mid 1800's. The remains of Fort Harmony, a remnant of the American frontier era, are also found on the site of Ojo Caliente.

S. 2767 would direct the Secretary of the Interior to conduct a study of the culture that evolved around the Warm Springs area in



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southwestern New Mexico. Specifically, the measure requires that the study evaluate the history of the people from the Warm Springs area as they relate to American frontier military history and the development of the American Indian policy; and evaluate the historic and prehistoric resources at the headquarters of Canada de Alamosa for possible preservation and public use.

The measure directs that the study shall be completed within 1 year of the date on which funds are appropriated for the study.

## LEGISLATIVE HISTORY

S. 2767 was introduced on September 9, 1988 by Senator Bingaman. A hearing was held by the Subcommittee on Public Lands, National Parks and Forests on September 14, 1988.

At the business meeting on Thursday, September 22, 1988, the Senate Committee on Energy and Natural Resources ordered S. 2750 favorably reported.

## COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on Thursday, September 22, 1988, by unanimous voice vote of a quorum present, recommends that the Senate pass S. 2767 as described herein.

## COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, September 27, 1988.*

Hon. J. BENNETT JOHNSTON, Jr.,
*Chairman, Committee on Energy and Natural Resources,*
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 2767, a bill to authorize a study of the history and culture of Warm Springs, New Mexico, in order to preserve its historic and cultural legacy for future generations, as ordered reported by the Senate Committee on Energy and Natural Resources, September 22, 1988. Enactment of this bill would cost the federal government about $100,000 in fiscal year 1989, assuming appropriation of the necessary sums.

S. 2767 would direct the Secretary of the Interior to conduct a study to determine the significance of the Warm Springs area, including an evaluation of historic resources in the area. The bill would authorize the appropriation of necessary sums and would require the study to be completed within one year. Based on information obtained from the National Park Service, CBO estimates that the required study would cost about $100,000 to complete.

No costs would be incurred by state or local governments as a result of enactment of this bill.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226–2860.

Sincerely,

JAMES L BLUM, *Acting Director.*

## REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2767. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact of personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2767, as reported.

## EXECUTIVE COMMUNICATIONS

On September 13, 1988, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on S. 2767. These reports had not been received at the time the report on S. 2767 was filed. When the reports become available, the chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the appropriate agency at the Subcommittee hearing follows:

### STATEMENT OF JERRY ROGERS, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and Members of the Committee, it is a pleasure to be here today to discuss S. 2750, a bill to authorize a study of methods to commemorate the nationally significant contributions of Georgia O'Keeffe, and S. 2767, a bill to authorize a study of the culture that evolved around Warm Springs in New Mexico.

*S. 2750. Georgia O'Keeffe*

We do not object to the enactment of S. 2750.

S. 2750 would authorize and direct the Secretary to conduct a study of the most appropriate way to interpret the nationally significant contributions of the late Georgia O'Keeffe. The study shall include an evaluation of the feasibility of establishing a landscape museum consisting of scenes and features from which Ms. O'Keeffe drew much of her inspiration. The study is to be completed within one year from the date on which funds are appropriated.

The life of Georgia O'Keeffe exemplifies a special kind of courage. She sought meaning within herself, rejecting much of her early training in painting and rebelling against the popular esthetic standards of the time. She also chose to live much of her life in isolation among the red and grey hills of northern New Mexico. Through her highly focused, intensely concentrated life, she has instilled into her paintings of hills, shells, pelvic bones, flowers,

rocks, and abstract forms "the wideness and wonder of the world." Recognizing Georgia O'Keeffe's unique contribution to our national life, the Congress authorized the establishment of her home and studio in Abiquiu, New Mexico, as a national historic site. Georgia O'Keeffe was the first painter to be honored in this way with the enactment of Public Law 96-344. However, at the subsequent request of the people of the town of Abiquiu and that of her family, the site was deauthorized under Public Law 98-396. S. 2750 would review alternative methods of commemorating the late Georgia O'Keeffe and her work, specifically focusing on the physical terrain and features from which Georgia O'Keeffe drew much of her inspiration.

We estimate that it would cost approximately $100,000 to do such a study and would note that there are currently no funds or staff to complete the study envisioned by S. 2750. Therefore, with the understanding that the study would be due within one year of the date on which funds are appropriated, we do not object to the enactment of S. 2750.

*S. 2767. Warm Springs*

We do not object to the enactment of S. 2767.

S. 2767 would authorize and direct the Secretary of the Interior to conduct a study of the historic and prehistoric cultures that evolved around Warm Springs in Southwestern New Mexico, as they relate to American frontier military history and the development of American Indian policy. We understand that the study area is located at the headwaters of Canada de Alamosa, about 45 miles northwest from the town of Truth or Consequences, New Mexico, and is at the northern area of the Black Range, in Socorro County.

The story of Victorio's War in the evolution of American military history is well known as are the tactics employed by Victorio and his band of the Warm Springs Apaches against both the United States Army and the Mexican Army. Given the nature of this portion of the study, we recommend that the Warm Springs and Mescalaro Apaches, other Apache tribes in Oklahoma and New Mexico, and the Bureau of Indian Affairs be involved in the study; and it is our intention to include them.

We estimate that it would cost approximately $75,000 to do such a study and would note that there are currently no funds or staff to complete the study envisioned by S. 2767. Therefore, with the understanding that the study would be due within one year of the date on which funds are appropriated, we do not object to the enactment of S. 2767.

## CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 2767, as reported.

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